

**BONNER COUNTY PLANNING DEPARTMENT
BOARD OF COUNTY COMMISSIONERS
STAFF REPORT FOR FEBRUARY 19, 2026**



Project Name:	Vacation of a Portion of Larch Street, a public right-of-way
File Number:	VS0006-25
Type:	Title 40 – Vacation of a Right-of-Way
Request:	The applicant is requesting to vacate a portion of Larch Street in Priest River.
Legal Description:	See attached stamped legal description (Appendix B).
Location:	US Highway 2 To Priest River, North on Larch Street approximately .7 miles.
Parcel Number:	Adjacent to parcels RP56N05W241251A, RP00208000003AA, and RP56N05W242146A
Parcel Size:	Approximately 0.251-acres to be vacated
Applicant:	Darin Meeks; East River Mill LLC
Project Representative:	Joel Andring Glahe & Associates 303 Church St Sandpoint, ID 83864
Property owners:	Darin Meeks; East River Mill LLC James W. Collins
Petition filed:	October 29, 2025
Notice provided:	Mailed: January 13, 2026 Published in newspaper: January 13 th , February 3 rd and February 10 th , 2026
Appendices:	Appendix A – Record of Mailing Appendix B – Legal Description of ROW requested to be Vacated



Project Summary:

The applicant is requesting to vacate a portion of Larch Street, a Bonner County owned public right-of-way, which is adjacent to parcels RP56N05W242146A, RP00208000003AA and RP56N05W241251A, generally located in Section 24, Township 56 North, 05 West, Boise-Meridian, Idaho.

Applicable Laws:

The following sections of Idaho Code apply to this petition:

- Idaho Code, Title 40, Highways and Bridges Chapter 2, General Provisions
- Idaho Code, §40-203 Abandonment and Vacation of County and Highway District System Highways or Public Rights-Of-Way

Background:

A. Site data:

Area to be Vacated: Approximately 0.251-acres

Portion of Proposed Width of Area to be Vacated: 50 feet wide.

Portion of Proposed Length of Area to be Vacated: Approximately 219 feet.

Structures: No structures within proposed vacation area.

B. Access:

US Highway 2 To Priest River, North on Larch Street approximately .7 miles.

C. Environmental factors:

Hydrologic Features: N/A

Flood Hazard Zone: Per the submitted site plan and county GIS, the section of Larch Street that is proposed to be vacated is within SFHA Zone X per FIRM Panel Number 16017C0859E, Effective Date 11/18/2009. No further floodplain review is required on this proposal.

Wetlands: The area proposed to be vacated is not mapped within any wetland.

Slope: The area to be vacated has some slopes of 0-29.9%.

Soils: Selle fine sandy loam, 0 to 8 percent slopes; All Areas are Prime Farmland.

D. Services:

Fire: West Pend Oreille Fire District

Schools: West Bonner School District #83

E. Standards review:**Required:**

- Compliance with Idaho Code §40-203, Abandonment and Vacation of County and Highway District System Highways or Public Rights-Of-Way:
 - *The commissioners may by resolution declare their intention to abandon and vacate any highway or public right-of-way, or to reclassify a public highway as a public right-of-way, where doing so is in the public interest.*

Provided:

- Per the applicant's narrative:

"The Meeks and Collins desire to vacate the end portion of a dead-end county road. At one time the road continued easterly, to the river, and across the river on a bridge to what is now a portion of West Settlement Road. Many decades ago the bridge was removed, creating a dead-end road. In 1982 the county approved a request to vacate the easterly end portion of this road, from the river back 70 feet to the west. (Inst. No. 255202).

The applicants now desire to move this back an additional 200 feet, or so. This stretch of road serves no public use and no private use except for that of the Meeks and Collins who are the only adjoining landowners. Two landowners south of Meeks, Frank and Hogue, do access Larch Street through a private easement over the Meeks property, but this access point is further west and does not lie within the proposed vacation area.

If any public or private utilities lie in this area, the rights of easement owners will be unaffected."

F. Public Noticing

Agencies and taxing districts were notified of this request on January 13, 2026. A comprehensive list of the agencies and taxing districts that were notified of this request is in the attached Appendix A.

The following agencies provided comment:

Bonner County Road & Bridge Department:

Planning Department,

The Bonner County Road & Bridge Department is opposed to this vacation request as currently proposed. Larch St is a County maintained road, and we are currently turning around equipment using prescriptive ROW beyond the end of the dedicated ROW. This prescriptive turn-around area is not correctly described on the application, which only describes a 50ft wide strip of ROW. Without this ROW, we would need a new place dedicated to the County to turn equipment around at the new terminus. Our standard turn-around is a 60ft radius bulb cul-de-sac. If such a turn-around were to be dedicated, we may support a revised application to vacate the remainder of the road beyond that new dedicated turn-around.

The County entered into an agreement with the City of Priest River in 2025 regarding upgrades and maintenance to this roadway. Under this agreement, the County is teamed up with the City to hard surface the entire road with BST surfacing, and after the final chip seal planned this summer 2026, the maintenance responsibilities for the end of Larch St will be transferred to the City of Priest River. With that in mind, the City will be the entity needing a turn-around at the end of the road moving forward, and in discussing this with the City, this need for a dedicated turn-around is also a concern of theirs.

The following agencies replied "No Comment":

Kootenai-Ponderay Sewer District
Idaho Department of Environmental Quality
Idaho Department of Fish and Game
Idaho Department of Water Resources
Idaho Transportation Department
Idaho Transportation Department - Permits

All other agencies either had no comment or did not reply.

G. Public Notice & Comments

As of the date of this report, no public comments have been received.

Staff Analysis:

The statutory sections referenced below were found to be applicable during staff's review of the particular facts and circumstances as they relate to the proposed vacation.

- Idaho Code §40-203(1) sets forth the procedures for the hearing and consideration of the petition:

The commissioners may by resolution declare their intention to abandon and vacate any highway or public right-of-way, or to reclassify a public highway as a public right-of-way, where doing so is in the public interest.

Staff: Staff has received feedback from Bonner County Road & Bridge that opposes the proposed vacation of the portion of Larch Street. **SEE ROAD & BRIDGE COMMENTS FOR DETAILS**

- Idaho Code §40-203(2) sets forth the standards for the consideration of a petition as it relates to access to properties abutting the proposed vacation:

No highway or public right-of-way or parts thereof shall be abandoned and vacated so as to leave any real property adjoining the highway or public right-of-way without access to an established highway or public right-of-way. The burden of proof shall be on the impacted property owner to establish this fact.

Staff: Based on materials submitted in this application, it does not appear that real property adjoining the area to be vacated would be left without access to an established highway or public right-of-way. This portion of Larch Street does not provide access to any properties other than the applicants' but does provide a turn around for traffic and snowplows. The portion to be vacated appears to be the legal access for one of the applicant's properties, although it is currently addressed and accessed through his other property. **SEE CONDITIONS OF APPROVAL.**

- Idaho Code §40-203(3) sets forth the standards for reserving easements for utilities and other appurtenances

In the event of abandonment and vacation, rights-of-way or easements shall be reserved for the continued use of existing sewer, gas, water, or similar pipelines and appurtenances, or other underground facilities as defined in section 55-2202, Idaho Code, for ditches or canals and appurtenances, and for electric, telephone and similar lines and appurtenances.

Staff: Vacation of this right-of-way will not extinguish any rights-of-way or easements for the continued use of existing sewer, gas, water, or similar pipelines and appurtenances, or other underground facilities as defined in section 55-2202, Idaho Code, for ditches or canals and appurtenances, and for electric, telephone and similar lines and appurtenances. Any utilities located in the proposed vacated portion shall be granted easements by the applicant accordingly. **SEE CONDITIONS OF APPROVAL.**

- Idaho Code §40-203(4) sets forth the standards for abandonment and compensation for vacating a public right-of-way that has been accepted as a part of a recorded platted subdivision.

“(a) When a county or highway district is to consider the abandonment or vacation of any highway, public street or public right-of-way that was accepted as part of a recorded platted subdivision, such abandonment shall be accomplished pursuant to the provisions of this section.

Staff: This section of the state code is applicable to the proposed vacation request. The portion of Larch Street that is requested for vacation is a public right-of-way that was accepted as a part of the “Kaniksu Acre Tracts” plat, completed in June of 1916, with an unknown recording date. Per Idaho Code §40-203(4), no fair market valuation of the property to be vacated has been done.

(b) When a county or highway district is to consider the abandonment or vacation of any highway, public street, or public right-of-way that was accepted as part of a platted subdivision that has never been improved or developed, such vacation or abandonment may be approved through the dedication of a new highway, public street, or public right-of-way without compensation as set forth in subsection (1)(i) of this section.

Staff: Per the applicant, the right-of-way was developed but has since been converted to a dead-end roadway. There appears to be no plans to rededicate the right-of-way. Per Road & Bridge’s comment, the right-of-way has been developed, is currently being improved by the County, and is in use by the public, specifically the turnaround. **SEE ROAD & BRIDGE COMMENTS.**

(c) When a county is to consider the abandonment or vacation of any private right-of-way that was accepted as part of a recorded platted subdivision, said abandonment or vacation shall be accomplished pursuant to the provisions of chapter 13, title 50, Idaho Code.”

Staff: This provision does not apply to this project, as no private right of way is proposed to be vacated.

- Idaho Code §40-203(5)(c)(i) sets forth the standards by which a public highway or ROW shall be deemed abandoned.

In any proceeding under this section or section 40-203A, Idaho Code, or in any judicial proceeding determining the public status or width of a highway or public right-of-way, a highway or public right-of-way shall be deemed abandoned if the evidence shows: that said highway or public right-of-way has not been used by the public and has not been maintained at the expense of the public in at least three (3) years during the previous fifteen (15) years.

Staff: It appears Larch Street was dedicated by a plat, “Kaniksu Acre Tracts”, in June of 1916. Per Road & Bridge’s comments, this public right-of-way has been used by the public and developed for public use. Larch Street is a public right-of-way that has been maintained at the expense of the public in at least three (3) years during the previous fifteen (15) years. According to Road & Bridge comments, and GIS information, Larch Street is currently maintained by the Road & Bridge Department

and will be transferred and maintained by the City of Priest River in 2026, after chip sealing is complete. **SEE ROAD & BRIDGE COMMENTS.**

- Idaho Code §40-203(6) Idaho Code §40-203(6) sets forth the procedure for abandonment upon a formal determination by the commissioners pursuant to this section that retaining the highway or public right-of-way for use by the public is not in the public interest.

All other highways or public rights-of-way may be abandoned and vacated only upon a formal determination by the commissioners pursuant to this section that retaining the highway or public right-of-way for use by the public is not in the public interest, and such other highways or public rights-of-way may be validated or judicially determined at any time notwithstanding any other provision of law. Provided that any abandonment under this subsection shall be subject to and limited by the provisions of subsections (2) and (3) of this section.

Staff: The right-of-way proposed for vacation is being maintained by Bonner County. This right-of-way of said highway or public right-of-way is not located on land owned by the United States or the State of Idaho nor on land surrounded by land owned by the United States or the State of Idaho. Approval of this road vacation may leave real property adjoining the highway or public right-of-way without access to an established highway or public right-of-way. There does not appear to be any intent to extend the road, as a portion has already been vacated, per instrument #255202, recorded in May of 1982.

Planner's Initials: DF Date: February 11, 2026

Note: The final decision rests with the governing body after the completion of the public hearing and consideration of all relevant oral and written testimony and evidence.

Motion by the Governing Body:

BOARD OF COMMISSIONERS

MOTION TO APPROVE: I move to approve this petition, FILE #VS0006-25, to vacate a portion of Larch Street as identified in Appendix B of the Staff Report, finding that it is in accord with Idaho Code §40-203 as enumerated in the foregoing conclusions of law

Conclusion 1

This proposal was reviewed for compliance with the vacation criteria and standards set forth at Idaho Code, 40-203.

Conclusion 2

Bonner County **has / has not** received objections to the petition or application to vacate the described area.

Conclusion 3

The abandonment of the public right-of-way **is** in the public interest.

Conclusion 4

The landowner or landowners abutting said right-of-way **do** have access to his, her or their property from some other public street, public right-of-way or private road.

Conclusion 5

By granting this petition for vacation of public right of way, real property adjoining the subject highway or public right of way **will not** be left without access to an established highway or public right of way.

This decision is based upon the evidence submitted up to the time the Staff Report was prepared and testimony received at this hearing. I further move to adopt the findings of fact and conclusions of law as set forth in the Staff Report (or as amended during this meeting) and direct planning staff to draft written findings and conclusions to reflect this motion and transmit to all interested parties. The action that could be taken to obtain the vacation is to complete the Conditions of Approval as adopted. This action does not result in a taking of private property.

MOTION TO DENY: I move to deny this petition, FILE #VS0006-25, to vacate a portion of Larch Street as identified in Appendix B of the Staff Report, based upon the following conclusions:

Conclusion 1

This proposal **was** reviewed for compliance with the vacation criteria and standards set forth at Idaho Code, 40-203.

Conclusion 2

Bonner County **has / has not** received objections to the petition or application to vacate the described area.

Conclusion 3

The abandonment of the public right-of-way **is / is not** in the public interest.

Conclusion 4

The landowner or landowners abutting said right-of-way **do / do not** have access to his, her or their property from some other public street, public right-of-way or private road.

Conclusion 5

By granting this petition for vacation of public right of way, real property adjoining the subject highway or public right of way **will / will not** be left without access to an established highway or public right of way.

The decision is based upon the evidence submitted up to the time the Staff Report was prepared and testimony received at this hearing. I further move to adopt the findings of fact and conclusions of law as set forth in the Staff Report (or as amended during this meeting) and direct planning staff to draft written findings and conclusions of law to reflect this motion and transmit to all interested parties. This action does not result in a taking of private property. The action that could be taken, if any, to obtain the vacation is to:

- 1) File a new petition with the Planning Department and meet the standards required by Idaho Code; or
- 2) Pursue such remedies as may be applicable at Idaho Code, Title 40, Chapter 2.

Findings of Fact:

- The applicant is seeking to vacate a portion of Larch Street, a public right-of-way, which is adjacent to parcels RP56N05W242146A, RP00208000003AA, and RP56N05W241251A.
- The applicant is requesting to vacate approximately .251-acres of an existing Right-of-Way, per the legal description provided by the applicant.
- Based on materials submitted in this application, real property adjoining the area to be vacated may be left without access to an established highway or public right-of-way.
- Staff has received feedback from Bonner County Road & Bridge that opposed the proposed vacation.
- Staff has not received public comments on the proposed vacation.
- Vacation of this right-of-way will not extinguish any rights-of-way or easements for the continued use of existing sewer, gas, water, or similar pipelines and appurtenances, or other underground facilities as defined in section 55-2202, Idaho Code, for ditches or canals and appurtenances, and for electric, telephone and similar lines and appurtenances.
- Evidence in the record appears to show that this public right-of-way is not abandoned.
- Larch Street is a Bonner County-owned and maintained public right-of-way, per Road & Bridge and GIS data.
- The area proposed to be vacated is within the Area of City Impact for the City of Priest River.

Proposed Conditions of Approval:

- A-1** The above-described right-of-way vacation shall be effective upon the recording of a resolution by the Bonner County Commissioners granting the vacation.
- A-2** Any vacated lands to be vested with the applicants shall be combined with the existing parcels/lots through an approved Lot Line Adjustment, showing legal access to all parcels.

Conditions to be Met Prior to Recording of the Resolution:

- B-1** The costs for legal advertisements and recording fees shall be borne by the applicant and shall be paid.
- B-2** The petitioner shall provide easements for continued use of any existing sewer, gas, water, or similar pipelines and appurtenances, or other underground facilities as defined in section 55-2202, Idaho Code, for ditches or canals and appurtenances, and for electric, telephone and similar lines and appurtenances pursuant to Idaho Code §40-203(3).

The complete file is available for review in the Planning Department, 1500 Highway 2, Suite #208, Sandpoint, ID. Staff reports are available online prior to the hearing at www.bonnercountyid.gov Bonner County Revised Code (BCRC) is available at the Planning Department or online.

APPENDIX A-RECORD OF MAILING

RECORD OF MAILING

Page 1 of 1

File Number: File VS0006-25

Record of Mailing Approved By: 

Hearing Date: 2.19.26

I hereby certify that a true and correct copy of the "Notice of Public Hearing" was digitally transmitted or mailed (postage prepaid) on this **13th day of January 2026**.



Jeannie Welter, Systems Technician

Assessor - Email	Avista Utilities - Email
Bay Drive Recreation District - Email	Bayview Water & Sewer - Email
Bonner County Airport Manager - Email	BONNER COUNTY DAILY BEE - U.S. Mail
Bonner County EMS - Email	Bonner County Floodplain Review - Email
Bonner County Road & Bridge - Email	Bonner County Sheriff - Email
Bottle Bay Water & Sewer District - Email	City of Clark Fork - Email
City of Dover - Email	City of East Hope - Email
City of Hope - Email	City of Kootenai - Email
City of Oldtown - Email	City of Ponderay - Email
City of Priest River - Email	City of Sandpoint - Email
City of Spirit Lake - Email	Coolin Sewer District - Email
Coolin-Cavanaugh Bay Fire District - Email	Drainage District #7 - Email
East Bonner Library - Email	East Priest Lake Fire District - Email
Ellisport Bay Sewer - Email	Garfield Bay Water & Sewer District - Email
GEM STATE MINER - U.S. Mail	Granite Reeder Water & Sewer District - Email
Idaho Department of Environmental Quality (DEQ) - Email	Idaho Department of Fish & Game - Email
Idaho Department of Lands - CDA - U.S. Mail	Idaho Department of Lands - Coolin - Email
Idaho Department of Lands - Navigable Waters & Mining - Email	Idaho Department of Lands - Sandpoint - Email
Idaho Department of Water Resources - IDWR - Email	Idaho Transportation Department (Aeronautics) - U.S. Mail
Idaho Transportation Department- District I - Email	Independent Highway District - Email
Kalispel Bay Sewer & Water - U.S. Mail	Kootenai-Ponderay Sewer District - Email
KPBX-FM 91 SPOKANE PUBLIC RADIO - U.S. Mail	KSPT-KPND-KIBR RADIO - U.S. Mail
Laclede Water District - Email	Lake Pend Oreille School District, #84 (Admin Office) - Email
Lake Pend Oreille School District, #84 (Transportation) - Email	Lakeland Joint School District, #272 - Email
Little Blacktail Ranch Water Association - U.S. Mail	North of the Narrows Fire District - Email
Northern Lights, Inc. - Email	Northland/Vyve Cable Television - Email
Northside Fire District - Email	Outlet Bay Sewer District - Email
Panhandle Health District - Email	Pend Oreille Hospital District - Email
Priest Lake Public Library District - Email	Priest Lake Translator District - Email
Sagle Valley Water & Sewer - Email	Sam Owen Fire District - Email
Schweitzer Fire District - Email	SELKIRK ASSOCIATION OF REALTORS - U.S. Mail
Selkirk Fire, Rescue & EMS - Email	Selkirk Recreation District -Email
Southside Water & Sewer District - Email	Spirit Lake Fire District - Email
Spokesman-Review - U.S. Mail	Historical Society - Email
Swan Shores Sewer District - U.S. Mail	Syringa Heights Water Association - Email
Tamarack Village Water & Sewer - U.S. Mail	Timber Lake Fire District - Email
Trestle Creek Sewer District - Email	U.S. Army Corps of Engineers - Email
U.S. Fish & Wildlife Service - Email	U.S. Forest Service - U.S. Mail
West Bonner County Cemetery District - Email	West Bonner County School District, #83 - Email
West Bonner Library - Email	West Bonner Water & Sewer District - Email
West Pend Oreille Fire District - Email	West Priest Lake Fire District - Email

APPENDIX B-LEGAL DESCRIPTION OF PROPOSED VACATED AREA



GLAHE & ASSOCIATES, Professional Land Surveyors

P.O. Box 1863
303 Church St.
Sandpoint, ID 83864

Phone: (208) 265-4474
Fax: (208) 265-0675
Website: glaheinc.com

Legal Description

Road Vacation

Bonner County, Idaho
S24, T56N, R5W, B.M.

A 50 foot wide strip of land, lying in the Northeast Quarter of Section 24, Township 56 North, Range 5 West, Boise Meridian, being 25 feet on each side of the following described centerline:

Commencing at the Northeast corner of Lot 3 of Kaniksu Acre Tracts, according to the plat thereof, recorded in Book 1 of Plats, Page 157, records of Bonner County, Idaho, which is the intersection of the Southerly right-of-way line of the County Road and the East Sixteenth line of said Section 24, said point marked with a 5/8" rebar and cap by PLS 882;

Thence along said East Sixteenth line, North 00°58'35" East, 27.12 feet to the centerline of Larch Street, as shown on said plat of Kaniksu Acre Tracts;

Thence along said centerline, North 68°29'33" East, 70.18 feet to the easterly end of the existing Larch Street right-of-way, marked by a 5/8" rebar and cap by PLS 13548, being the TRUE POINT OF BEGINNING;

Thence along said centerline, South 68°29'33" West, 219.31 feet to a 5/8" rebar and cap by PLS 13548, being the POINT OF TERMINUS.

